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Security Council

Fifty-seventh year

Provisional

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Wednesday, 30 January 2002, 10.30 a.m.

New York

President:	Mr. Gayan	(Mauritius)
Members:	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	China	Mr. Wang Yingfan
	Colombia	Mr. Franco
	France	Mr. Levitte
	Guinea	Mr. Boubacar Diallo
	Ireland	Ms. O'Donnell
	Mexico	Mr. Aguilar Zinser
	Norway	Mr. Kolby
	Russian Federation	Mr. Granovsky
	Singapore	Mr. Mahbubani
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Williamson

Agenda

The situation in East Timor

Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/80 and Corr.1)

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02-23533 (E)

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in East Timor

Report of the Secretary-General on the United Nations Transitional Administration in East Timor (S/2002/80 and Corr.1)

The President: I should like to inform the Council that I have received letters from the representatives of Bangladesh, Brazil, Fiji, Japan, Indonesia, New Zealand, the Philippines, Portugal, the Republic of Korea and Spain, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Chowdhury (Bangladesh), Mr. Fonseca (Brazil), Mr. Naidu (Fiji), Mr. Satoh (Japan), Mr. Widodo (Indonesia), Mr. MacKay (New Zealand), Mr. Manalo (Philippines), Mr. Seixas da Costa (Portugal), Mr. Sun Joun-yung (Republic of Korea) and Mr. Arias (Spain) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council decides to extend an invitation under rule 37 of its provisional rules of procedure to His Excellency Mr. John Howard, Prime Minister of the Commonwealth of Australia.

There being no objection it is so decided.

His Excellency Mr. John Howard, Prime Minister of Australia, was escorted to a seat at the Council table.

The President: On behalf of the Council, I extend a warm welcome to His Excellency Mr. John Howard, Prime Minister of the Commonwealth of Australia.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor.

There being no objection, it is so decided.

I invite Mr. Sergio Vieira de Mello to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Mr. José Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation.

There being no objection, it is so decided.

I invite Mr. Ramos-Horta to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them documents S/2002/80 and Corr.1, which contain the progress report of the Secretary-General on the United Nations Transitional Administration in East Timor.

The Security Council will hear a briefing by Mr. Vieira de Mello at this meeting. I understand that he is also prepared to answer questions and provide clarifications if need be.

Mr. Vieira de Mello: It is an honour to report to the Council under your presidency this morning, Sir.

It is a pleasure to sit before the Council and the Prime Minister, together with my friend and colleague, José Ramos-Horta, to provide a briefing on the situation in East Timor as its transition to independence rapidly — indeed, it is now only 110 days away — comes to pass.

With the approach of independence comes the end of a quite remarkable chapter in the history of the United Nations, one marked by an extraordinary collaborative effort. That effort reflected is here, and for this I must thank the Permanent Representative of

Mauritius and yourself, Mr. Minister, for the Council's decision to devote so much attention today to the situation in East Timor. The presence here today also of Prime Minister John Howard of Australia is yet a further sign of the depth of support enjoyed by East Timor.

On 20 May — independence day — East Timor's dogged and inspiring quest for self-determination will have been completed. Our happiness, however, should be and is tempered by the reality that independence does not mark the end of East Timor's struggles. Far from it. As members know, the Constituent Assembly began its work in September 2001. Today, after 20 weeks of active participation and intense debate, the Assembly has achieved a mammoth task by reviewing and approving most of the draft constitution.

Just before I left for New York I was invited to an exchange of views with the Constituent Assembly. I briefed them on the debate that we will have here today, and on our hopes for its outcome — hopes that I shall go into in some detail in just a moment. It will not surprise the Council to hear that they raised with me their concerns over border security, the future of serious crimes prosecution, the ongoing downsizing of the United Nations Transitional Administration in East Timor (UNTAET) and our plans for a successor mission. I also approved the Constituent Assembly's request for a further extension of its mandate until 9 March. I wholeheartedly encouraged, welcomed and accepted that suggestion. It is in East Timor's best interest that the members of the Constituent Assembly be given time to absorb the various internal and external submissions they have received from different sources. The additional time will also allow the members of the Assembly to undertake a more effective public consultation process.

Although the draft constitution is nearing completion, the transfer of power from the United Nations to the East Timorese people requires one final institutional development: the election of the President. On 14 April the people of East Timor will elect their first President in a free and fair election with universal suffrage, in a secret ballot, and on the basis of a single national constituency. This time, the Timorese will be playing a dominant role in implementing the elections. There will be five electoral commissioners, three of them East Timorese and two of them international. East Timorese will head and staff all 13 district electoral offices, assisted by international electoral officers in logistics and other supervisory capacities. A few days ago I issued invitations for international observers to be present throughout the electoral process.

On 17 April the results will be announced, and East Timor's new President will be inaugurated just after midnight on 20 May.

On the international front, foundations continue to be laid for strong relations between East Timor and Indonesia. As mentioned in the Secretary-General's report, last November for the first time we hosted a meeting of the Joint Border Committee, the third time that body had met. I am sure that my colleague José Ramos-Horta will give the Council more details on that process.

Towards the end of February, Indonesia and East Timor will also be holding high-level talks at Denpasar, to be immediately followed by trilateral talks when East Timor's other immediate neighbour, Australia, joins the table. The meeting will review progress made on all bilateral issues that have been the subject of negotiations between UNTAET and the East Timorese leadership on the one hand and the Government of Indonesia on the other over the past two years, and some new issues, such as maritime delimitation, will be discussed. We also hope to sign a number of arrangements strengthening cooperation between Indonesia and East Timor in areas such as postal services and police cooperation. The trilateral talks will likely discuss regional cooperation, including the possible establishment of a South-West Pacific forum, and regional security arrangements, economic cooperation and development matters.

In addition, East Timor has also been invited to participate in a ministerial-level regional conference, co-chaired by Australia and Indonesia, on people smuggling, trafficking in persons and related transnational crime; that conference will involve ministers from up to 40 countries in the region.

Key among the outstanding bilateral issues requiring resolution at the Denpasar talks is the need to normalize the land border between East Timor and West Timor. We have already taken the first steps towards delimitation of the border. A joint work plan has been agreed upon, and the first joint reconnaissance survey will be undertaken next month. We are also working towards finalizing an arrangement that will permit movement of people across the border

for customary and traditional purposes and for trade at markets in the vicinity of the border.

I am happy to report that the security situation in East Timor remains stable. The border with Indonesia continues to be secure. There have been few sightings of militia along the Tactical Coordination Line, although unregulated markets are increasingly a problem. Crime rates in East Timor are not increasing, and the East Timor Police Service is growing into its duties admirably. Nonetheless, hard-line militia elements may still pose a long-term threat and, until there is substantial progress in the establishment of an operational East Timor Defence Force, the presence of an appropriate military component will be necessary. Likewise, until the national police force is fully deployed, United Nations civilian police will need to remain in East Timor to assist in training and in actual enforcement.

Long-term peace and stability will depend on the degree to which we can overcome the legacy of the September 1999 violence through progress on the return of the remaining refugees, by fostering and facilitating reconciliation and by the effective prosecution of serious crimes. Those efforts should be viewed as interdependent.

In a boost to the reconciliation process, on 21 January I swore into office the seven National Commissioners of the Commission on Reception, Truth and Reconciliation. That was a major achievement — and an arduous one, coming some 18 months after the selection process began. As members know, the Commission has three main functions: to seek the truth about human rights violations in East Timor perpetrated between April 1974 and October 1999; secondly, to facilitate community reconciliation; and thirdly, to report to the Government on its work. It is not a substitute for justice, as serious crimes must continue to be dealt with by the courts. Rather, it will complement that process and avoid unduly burdening a strained court system by dealing with lesser offences through a community reconciliation process. In the coming weeks the Commissioners will need to appoint regional commissioners and their own senior staff. Securing further donor support will also be critical to the ability of the Commission to function as intended.

The sensitive task of reconciliation between East Timorese on both sides of the border is progressing through a unified reconciliation team on behalf of the second transitional Government, with the full backing of Chief Minister Mari Alkatiri, of Xanana Gusmão, and of my own office. This important process was led, until recently, by my former chief of staff, who has now been replaced by the head of our Political Unit.

The justice system is still in a nascent state and needs continued close attention. I know only too well that this is an area in which we have faced particularly significant problems, to an understandable extent since there was nothing — nothing — left of a justice system or its infrastructure in September 1999. Today, there are only 25 East Timorese judges and 13 prosecutors, the majority of whom have had only secondary education and less than two years of training and experience. On occasion, inappropriate sentences have been handed down, leading to retrials. Cases of intimidation during trials have occurred, in one instance resulting in the closure of the Baucau courthouse. The lack of resources, including interpreters and court staff, has led to delayed hearings and unduly prolonged detention of suspects.

Members of the Council themselves identified shortcomings in the administration of justice in East Timor, particularly in the area of the prosecution of serious crimes, in their report of November 2000 following the Council's mission to East Timor (S/2000/1105). In line with our overall strategy, day-to-day management of justice has been devolved onto the Government. Nonetheless, I still bear ultimate responsibility for the administration of justice under the UNTAET mandate. I have made and am making a concerted effort to ensure that UNTAET cooperates closely with the public administration to address the problems faced within this sector and to ensure that by independence we will be able to leave behind strong institutions within the justice sector; these will be critical for the stability of the new country.

To establish a balanced approach ensuring equality between prosecution and defence, as well as appropriate capacity for the courts to adjudicate, we are looking particularly at the establishment of a legal aid service, as well as at support for court administration. I have proposed a set of immediate action points that support both the Special Panels for Serious Crimes and court administration more generally. They include immediate recruitment of international judges, recruitment of a Special Panels administrative coordinator and a judges' associate for the national judges, as well as enhancement of the capacity of the

courts for simultaneous translation. We are proposing a plan for the mobilization of external resources, which will support the courts, particularly in the areas of transcription services and equipment, witness expenses, Internet access and library and research materials. An action plan is to be developed to ensure a coordinated approach to court listing, prison liaison, the publication of court documents and resource mobilization.

I have also endorsed a plan to ensure the establishment of a legal aid service. This has been outstanding for too long and is particularly important in the view of the current resource disparity between the prosecution service and the office of the public defenders. The establishment of the service will allow for the creation of an independent statutory body, which, although funded through appropriations from the East Timor Public Administration, will also be able to receive independent funding, human resource support and other types of support.

Considerable improvements have been made in the area of serious crimes prosecution in terms of management of human and other resources. The Office of the General Prosecutor, now headed by an East Timorese prosecutor, is supported by an East Timorese Deputy Prosecutor for Ordinary Crimes and a new international Deputy Prosecutor for Serious Crimes. The selection and management of staffing and resources provided to the Serious Crimes Unit has been enhanced in order to meet key goals for 2002 and, as of this month, teams of investigators are being based in several districts to promote greater efficiency and to create a closer relationship with the communities in which the investigations are undertaken. It is anticipated that, over the course of 2002, these changes should permit an increase in the number of indictments over and above the 10 priority cases of crimes against humanity. These tasks can be accomplished only with the full funding of approved positions from the assessed budget, as well as continued support from donors for additional specialized expertise and resources in such areas as forensic and investigation experts, translators and transport.

In October 2001 my deputy met with the newly appointed Attorney-General of Indonesia. At that meeting it was agreed that regular monthly meetings on justice should be held with a view to maintaining a dialogue on issues of mutual concern. Following that visit the new East Timorese General Prosecutor paid a courtesy call on the Attorney-General of Indonesia, in November. The first of the monthly meetings was finally held in Denpasar in mid-January.

I very much welcome President Megawati's selection of 18 judges for the Ad Hoc Human Rights Court. We are now keen to see the judges and prosecutors sworn in, court staff recruited and a date set for the commencement of the trials of the first group of suspects, who were publicly identified in early September 2000 by the then Attorney-General of Indonesia, Marzuki Darusman. This is all the more important given that it is now well over two years since the destruction of 1999.

The recent Supreme Court decision in Jakarta to increase, to between five and seven years, the sentences of three of the men convicted of murdering our colleagues from the Office of the United Nations High Commissioner for Refugees (UNHCR) in Atambua in September 2000 is a welcome move, going some way towards demonstrating, in Indonesia, as in the rest of the world, the opprobrium felt over those foul acts.

Finally, progress has been reached in cooperation on investigations into the killing of Private Manning of New Zealand, with several accused now standing trial in Jakarta for his murder. A similar model of cooperation has been agreed on for the investigation into the killing of Private Devi Ram Jaisi of Nepal.

Real momentum on cooperation with Indonesia in the area of serious crimes remains elusive, however. It is of the utmost concern that we have been unable to ensure that the Memorandum of Understanding on legal, judicial and human rights related matters, which I signed with the Attorney-General of Indonesia in April 2000, becomes fully operational.

In the remaining four months before independence, UNTAET, together with the Prosecutor-General's Office, will continue to meet with the Indonesian authorities to push for further progress on serious crimes; these working-level meetings must become a reality and take place on a regular basis. For the people of East Timor, peace and reconciliation efforts will mean little if the principal perpetrators of atrocities committed in 1999 are not brought to justice.

Finally, I should say that we welcomed the visit to East Timor and Indonesia of Ambassador Leandro Despouy, the Chairman of the Commission on Human Rights, who was effectively able to refocus the

spotlight onto the outstanding need for justice in the area of serious crimes, whether that justice is to be served in Dili or Jakarta. I hope that his efforts help us attain concrete results.

Moving to the question of refugees, returns increased during this reporting period, reaching a total of some 192,000. This still leaves perhaps up to 60,000 refugees in West Timor. We will redouble our efforts, in partnership with the second transitional government and UNHCR, together with the civil and military authorities in Indonesia, to encourage as many of the remaining refugees to return to East Timor before independence. Cross-border visits, such as the highly successful visit of Xanana Gusmão to West Timor last November, appear to be one of the most effective ways of countering misinformation and fostering reconciliation and repatriation. At the same time, we have increased our efforts to provide clear, objective information to refugees on the newly established reconciliation commission. As for those responsible for past criminal acts, we will ensure that they will be treated fairly within the developing justice system of East Timor.

While security and militia intimidation continue to be factors inhibiting refugee returns, economic factors, including lack of shelter and access to pensions, are also significant deterrents. I have been looking into ways to improve the shelter for returnees, and I would like to highlight here that more resources are needed to improve this aspect of life for the East Timorese and for returning refugees, particularly during the current rainy season.

It is also important that the arrangements entered into between East Timor and Indonesia on pensions and termination payments to former East Timorese employees of the Government of Indonesia begin to bear fruit. Just before I left Dili, we handed a further 20,000 registration forms to the Indonesian authorities, and I am hopeful that the first pension and termination payments in East Timor will be made in March 2002.

Those former Indonesian government employees and pensioners who opt for East Timorese citizenship will, however, stop receiving their benefits at independence. That is why a special fund is being established to offset those lost pensions. The special fund was launched in Jakarta on 27 November 2001 as part of the Joint Appeal of the United Nations and the Government of Indonesia. I would like to thank the Governments of Indonesia and Portugal, as well as the European Community, which have pledged about $4.5 million for the fund thus far. The fund will, however, require substantially more capital if we hope to generate meaningful benefits for its 30,000 intended beneficiaries. It will prove difficult to encourage the 9,000 remaining former government employees and pensioners to return to East Timor, together with their families, without this alternative. Support for the special fund is thus another key priority over the next 60 days.

In December, a major breakthrough was reached between East Timor and UNTAET officials, led by Chief Minister Alkatiri, with industry currently developing a major petroleum field in the Timor Sea. A tax and fiscal package was agreed and will maximize petroleum revenues to East Timor by allowing gas development in the Timor Sea to go forward. This development will proceed under the terms of the treaty negotiated last year with Australia, which will enter into force upon East Timor's independence.

Overall revenues to East Timor from the combined gas and liquids phases of Bayu-Undan — the field under development — will be much larger than previously forecast. However, revenues from this field in the first few years may not be as high as initially predicted because of the revised fiscal terms and also because production is now more conservatively estimated.

I should now like to turn to the successor mission, a subject that continues to occupy much time within UNTAET and the Second Transitional Government. Our unprecedented advance planning has resulted in a framework for the successor mission, which is attached to the report of the Secretary-General. In this simple proposal, the Secretary-General delimits the scope of action for the future peace operation, and, maybe more importantly, bases its scope on the needs articulated by the future host Government and current UNTAET managers. In other words, it is a consensus document on which all parties at the operational level are in agreement. The hope is that such an exercise allows for a better synergy and sense of a common goal in the successor mission. I am confident that this is being achieved, and I commend it to the Council for its consideration and approval.

Briefly, let me summarize the main contents of the framework. First and foremost, the mission will be

guided by the principle identified in the Council's presidential statement of 31 October last, namely, to ensure that all operational responsibilities are fully devolved to the East Timorese authorities as soon as this is feasible without jeopardizing stability and progress made. The mission is expected to achieve its core mandate in around two years from independence, provided the fundamental conditions for implementation continue to prevail.

In this regard, I would like to reiterate here an important observation in the Secretary-General's report: that funding of the East Timor Police Service and the East Timor Defence Force will be essential to the achievement of the core mandate. As members know, both are highly under-resourced and will require bilateral and other voluntary assistance to be able to function effectively.

The civilian activities of the mission will focus on providing international civilian assistance for core functions in public administration. As members know, the civilian experts would provide crucial support to the emergent East Timorese Administration. The concept for this was extensively discussed at the last Council meeting. Other civilian activities will include providing assistance in serious crimes investigations, as well as human rights mainstreaming.

On the police side, as I understand it, there is no precedent for nationwide United Nations executive policing responsibility in an independent State. In short, overall command of the East Timorese police, together with the United Nations civilian police (CIVPOL), will rest with the international police Commissioner. It has been clearly agreed, at a meeting that I attended with Chief Minister Alkatiri just before coming to New York, that once a unit is handed over to an East Timorese officer, he or she will continue to report up a single chain of command that, as I said, will be led by the United Nations civilian police.

We — the Government and UNTAET both — believe this is absolutely essential to ensure coordination of police response in the field. During this period, shadowing the international police Commissioner will be the East Timorese Commissioner-in-training, whom I appointed in October last year. We are working together with the Government to ensure that on independence the Government concludes with the United Nations an agreement which will addresses the role of the police component and its relationship with the new East Timorese police force.

CIVPOL activities in the future mission will focus on finishing the job of developing the East Timorese police, which will be at a little more than half its target strength on the day of independence. The East Timor Police Service is expected to reach full capacity by January 2004. A gradual handover of individual police activities to the national units and districts, under unified command, will begin in May this year and likely end in January 2004. The handover will be contingent upon a positive assessment of personnel and institutional realities, and we are currently identifying the specific criteria for appropriate United Nations certification and accreditation.

Subject to the timely achievement of certification, CIVPOL will start with a force of 1,250 at independence and be reduced by an average of 5 per cent every month, leaving about 100 officers by January 2004 working in a purely advisory role. As CIVPOL reduces its size, it will be increasingly important for police-contributing nations to provide senior police officers with capacity-building and advisory skills. This will be absolutely critical to the success of this component of the successor mission.

On the military side, the mission will continue providing support for external security and territorial integrity, initially with a force of 5,000. Once the border areas are delimited and national border-control structures are in place, the size of the military component will be reduced, subject, needless to say, to the overriding caveat of prevailing security conditions.

Furthermore, it will be vital for the mission to ensure timely handover of responsibilities from the military component to the East Timor Defence Force and relevant Public Administration departments. As with the police, UNTAET is working together with the Public Administration of East Timor to ensure that immediately upon independence a formal understanding is in place to address clearly and unambiguously the role of the United Nations military and its relationship with the East Timor Defence Force.

The Secretary-General has recommended that, before wrapping up UNTAET, our mandate be extended until the date of independence, on 20 May. This would allow UNTAET to make the necessary preparations for the presidential elections and events leading up to independence day, as well as going some

way to completing the priority tasks that I have just outlined. I very much hope that you concur and make such a decision in the coming 48 hours.

Nonetheless, we are continuing — and determinedly so — with a simultaneous wind-down of the mission to ensure we minimize trauma caused by the end of UNTAET and the commencement of a smaller, more limited mission. I am confident that we will meet the Secretary-General's commitment to a 75 per cent cut of international personnel in the Public Administration by the end of our mandate. Following a reduction of 35 per cent by November last year, we will be reducing our staff by an additional 10 per cent each month over four months starting tomorrow, 31 January — when 140 international staff members will be leaving the mission — and continuing through the end of April. This will ensure that our 75 per cent reduction is achieved, leaving around 200 international staff and 50 United Nations Volunteers in government at the end of the mandate.

This downsizing process has been particularly difficult, as the government bodies and ministries are in dire need of international staff everywhere. Indeed, I believe it was the Council's support, in principle, for a continued post-independence provision of critical assistance to the East Timorese Government that encouraged the ministries to make these difficult cuts, these extremely difficult choices. As you know, the resultant list of 100 posts falls within the areas of finance and central services, justice, internal systems and essential services.

Meanwhile, the United Nations Development Programme (UNDP) and UNTAET, together with the Government, have also agreed on job descriptions and specifications for the posts, and the Department of Peacekeeping Operations has prepared the United Nations vacancy announcements, which can now be viewed on the United Nations web site.

In addition, a recruitment process for the 100 functions is being designed. It is our goal to have experts arrive in theatre early enough to overlap with their international predecessors, unless current incumbents are selected. In this context, I appeal for continued support by the Council to ensure timely action and an early mandate of the successor mission, since this would allow our collective early planning and preparations to bear fruit.

The East Timorese Government will also require international assistance in support of social and economic development and poverty-reduction programmes. The ongoing UNDP study has identified some 200 such functions as crucial for that purpose, and voluntary arrangements are being sought to meet these requirements. Members of the Constituent Assembly are rightly anxious to ensure that the development of East Timor's health and education sectors, in particular, continues beyond independence, and it is through these positions that we will be able to help assuage these concerns.

To ensure the division of responsibility among principal players who will assist East Timor in these areas, I have been consulting with the United Nations agencies and other entities, seeking their support in principle to help fill the 200 civilian technical assistance posts. These will also be circulated to Member States.

We have also been reducing the number of international posts outside the Public Administration. Starting with my own extended office — which includes public information, legal affairs, political affairs, human rights and others — the reduction will be in monthly tranches, resulting in an overall reduction of 40 per cent by the end of April. Similarly, our division of the UNTAET administration is cutting back by 40 per cent.

Another element that is key to a smooth transition is the incorporation within the Government of essential common services and the transfer of United Nations assets to the East Timorese Government in support of those services. A preliminary list of assets for potential disposal has undergone a financial-sustainability review, and the final list of desired assets will be presented to the Advisory Committee on Administrative and Budgetary Questions next month for its consideration.

Finally, in the home stretch to independence, the Government and I have asked for East Timor to be deleted from the list of non-self-governing territories. I expect the Government immediately to seek membership in the United Nations. This territory, which was an orphan of the United Nations, will then become a full-grown member of our family.

As we approach the conclusion of this remarkable exercise, I, on behalf of the East Timorese Transitional Government and on behalf of José Ramos-Horta, invite

members of the Council to attend the Independence Day celebrations. You visited once before, providing welcome support in a most sombre time. We now very much hope that you can visit in altogether more uplifting circumstances. You will have good reason to be proud.

The President: I thank Mr. Vieira de Mello for his comprehensive briefing.

I wish to welcome the presence at the Council table of Ms. Louise Fréchette, Deputy Secretary-General.

The next speaker on my list is His Excellency Mr. John Howard, Prime Minister of the Commonwealth of Australia.

Mr. Howard: I extend my congratulations to you, Mr. President, on your assumption of the presidency of the Council. I also acknowledge the presence of Deputy Secretary-General Louise Fréchette and also, very particularly, Mr. José Ramos-Horta, with whom my Government and the people of Australia have had a significant association over the past few years.

I understand that this is the first time in some years that an Australian Prime Minister has addressed the Security Council, and I think it is appropriate that the address takes place in the context of a debate on the future of East Timor.

Australia was a founder Member of the United Nations, and, in fact, provided the first President of the Security Council. We continue to very strongly support the relevant role of the Security Council in the modern world. Its contribution to the emphatic response of the world to the outrageous terrorist attacks in this city last year is current evidence of that relevance, as indeed is illustrated again by the debate today on Afghanistan. Australia has been a strong supporter of the world's response to those terrorist attacks, and we were one of the very first nations to send military forces to assist the United States efforts within Afghanistan.

We strongly support the work done in the United Nations to ensure there is a broad international front against terrorism. It is critical that this international cooperation be one of action as well as words. This is what Australia will look to the Council for in implementing its resolutions.

I want to thank Sergio Vieira de Mello for his report in the name of the Secretary-General in relation to the renewal of the mandate for East Timor until independence. I take this opportunity to record Australia's admiration for his stewardship over the last two and a half years. It has been an example of United Nations work in difficult circumstances at its very best. I also join others in saying how much we look forward to East Timor assuming its independence in 110 days' time. I shall be delighted, myself, to represent Australia at the independence celebrations from 18 to 20 May.

East Timor has been a prime example of the Security Council's capacity to respond promptly and decisively to pressing issues. The mandate that enabled the deployment of the International Force in East Timor laid the foundation for a successful and effective long-term resolution to a difficult and chronic problem. Australia is indeed honoured to have played such a key role in that success.

Two years ago the Security Council entrusted the United Nations Transitional Administration in East Timor (UNTAET) with a major and unprecedented task. The success of UNTAET is manifest in East Timor's rapid move toward independence. I pay tribute not only to Sergio Vieira de Mello's own leadership, but also to his UNTAET team, including the members of the peacekeeping operation, the United Nations civilian police, East Timorese members of the Transitional Government and Secretariat officials here in New York.

The renewal of the UNTAET mandate prefaces a new phase of United Nations involvement in East Timor. The Security Council must now give priority to preparation and planning for the post-independence United Nations mission. Decisions taken by this Council in the coming months will have a crucial bearing on the long-term success of East Timor. We cannot rest on the successes — great though they are — over the past two years, for without continued support, they cannot be sustained.

East Timor remains a small, fragile country. A start to reconstruction has been made, but there is still a long way to go. Australia and other donors are committed to East Timor's long-term sustainable development. But there also needs to be an assurance of solidarity from the United Nations system.

The Council is well aware of the significant contribution Australia has made to the United Nations peacekeeping operation in East Timor through both military and civilian police contingents. Over the

period from July 1999 to June 2001, Australia spent Australian $1.4 billion on its military contribution. We have also committed Australian $150 million for the four years from July 2000 to help with reconstruction and development in East Timor.

I want to inform the Council that Australia will continue to play its part, both through the United Nations and bilaterally, to support East Timor. We are committed to a substantial bilateral assistance programme to reduce poverty and build the capacity of the East Timorese people to govern their country successfully in a peaceful and democratic fashion. In the Timor Sea Arrangement, we have agreed on a generous arrangement for revenue from the Timor Sea gas fields, which will make a big contribution to East Timor's future.

We look forward to working closely and pragmatically with our new neighbours, both on bilateral issues and, as fellow Member States of the United Nations, in regional and global organizations. In this regard, I am pleased that we shall begin trilateral meetings between East Timor, Indonesia and Australia on 26 February, when senior East Timorese representatives will meet with representatives of my Government and the Government of Indonesia in Denpasar. The relationship between those three nations is very important to the future of East Timor and its people.

East Timor will, however, need more than the help and goodwill of its nearest neighbours. A seamless transition from United Nations administration to a functioning post-independence Government is vital to success in the long term. We should not by skimping on resources undo the good work already done. It is critical that the United Nations stay the course, and Australia will play a significant part in the staying of that course and leave East Timor well equipped to deal with the challenges of independence. This is the best guarantee of minimizing the country's longer-term reliance on international support.

Australia agrees that the United Nations role in East Timor is not open-ended. The Security Council must set in place an exit strategy that preserves the international community's investment in East Timor's future. That in turn will secure East Timor's capacity to function effectively over the long term.

I conclude by assuring the Council that Australia will continue to play a significant part for so long as that participation is needed. We will work closely with the Council to support United Nations efforts and the new East Timorese Government.

I record again the overwhelming sentiment of the people of Australia in expressing to José Ramos-Horta and through him to the people of East Timor our goodwill for their future. There is concern and sentiment in my country towards the East Timorese people. We wish them well. We look forward to working with Mr. Ramos-Horta as fellow members of the international community and as participants in our part of the world. I again congratulate Sergio Vieira de Mello on his great stewardship, and I thank you, Mr. President, most warmly for the privilege of addressing the Security Council.

The President: I thank Mr. Howard for his important statement and for the continued support of his Government to East Timor.

His Excellency Mr. John Howard, the Prime Minister of Australia, was escorted from the Security Council Chamber.

The President: I now give the floor to Council members.

Mr. Eldon (United Kingdom): Mr. President, I can be relatively brief this morning, not least because the representative of Spain will be speaking later in the debate on behalf of the European Union. But, before starting my statement, I did want to mark the presence with us this morning of Prime Minister Howard of Australia and of the Irish Minister of State for Foreign Affairs. I think it was particularly apposite to have Prime Minister Howard with us this morning in view of the enormous contribution that Australia has made in East Timor since the events of two years ago. And I very much welcome the presence of our Irish colleague, which I know symbolizes the tremendous concern and commitment felt by the people of Ireland for the situation in East Timor.

As always, Sergio Vieira de Mello's briefing was a masterpiece of the genre. I am very grateful to him and to his team for giving us such a useful, exhaustive and comprehensive report on what has happened in the territory since we last met. I particularly welcome the progress he was able to report on a number of areas, and I would strongly endorse what he had to say about the criminal and justice systems, the importance of getting this right and the progress that has been made

with the Commission for Reception, Truth and Reconciliation. It will come as no surprise to Council Members that the United Kingdom remains very concerned about serious crime issues throughout the panoply of the United Nations activities, and East Timor must be no exception in this regard.

On the first part of the work we have before us today, we strongly support the Secretary-General's recommendation that the mandate of the United Nations Transitional Administration in East Timor (UNTAET) should be extended to 20 May. Together with the delegation of Singapore, we have been working on a draft resolution to put that into practice, and I think I can assure Mr. Vieira de Mello that action on this will be taken well before the end of this week. I anticipate no problems whatsoever.

On the next stage of our remit, we welcome very much the outlined proposals for a successor mission for a limited period after independence, as set out in the Secretary-General's report this time, and we look forward to receiving more specific proposals from him as we move towards independence.

For the follow-on mission, we support the recommendation that a number of key civilian positions be funded from assessed contributions for a limited period. These positions will, after all, be crucial to the stability of the new administration. They have already been advertised, and it is important that recruitment takes place in good time to ensure a smooth hand-over of responsibilities at the time of independence. I would add in parentheses that I think the decision taken by the Secretariat to go ahead and advertise these posts in advance of formal approval of the successor mission is admirable and fully in line with the general thrust behind Lakhdar Brahimi's report on peace operations and a real gesture of the will and determination in the Secretariat to ensure that United Nations operations in these sorts of areas can be made to run as smoothly and seamlessly as possible.

On the political front, we very much welcome the announcement of presidential elections, which will take place in April this year. We urge all parties to conduct the election campaign in a peaceful and transparent way. And, in a slightly different part of the political forest, we hope that the extension of the constitutional process to allow broader consultation on a number of proposed amendments to the Constitution will be put to good use. It is very important that the Constitution of the independent East Timor should have the support of all the people of the territory. I hope that it will be possible to take account of all the suggestions that have been made and put forward to an appropriate degree, including those from some of the more minor political parties.

As Prime Minister Howard just said, East Timor will need more than the help and good will of its nearest neighbours. We look forward to the completion of the National Development Plan. This will provide the basis for donors to determine the scope of their future support to an independent East Timor and, not least, will help define disbursement mechanisms. Indications of future support for East Timor will, we understand, be sought at the May Donors Conference. It goes without saying that donors will appreciate the early completion and dissemination of the development plan in order to prepare for that Conference. The more time that can be allowed for preparation, the better the eventual results will be.

I have two other points to make, and then I will finish. First, it is good that refugees have continued to return since the August election, but we remain deeply concerned about the plight of the remaining refugees in West Timor. We understand that there could be up to 80,000 of them. I would like, here and now, to urge the United Nations and the Government of Indonesia to complete the negotiations for the Memorandum of Understanding to enable international agencies to return to East Timor and facilitate the resettlement of the remaining refugees.

Finally, I would like to make it very clear that the United Kingdom remains fully committed to supporting the East Timorese people and the United Nations to create a stable, independent and democratic State. I am happy to be able to say that a Minister from the Foreign Office will attend the independence day celebrations in Dili on 20 May and that the United Kingdom will retain a diplomatic presence in Dili after independence.

Mr. Wehbe (Syrian Arab Republic) (*spoke in Arabic*): At the outset, allow me to thank the Secretary-General for his report on the United Nations Transitional Administration in East Timor (UNTAET). We also welcome Ms. Louise Fréchette, Deputy Secretary-General, and Mr. John Howard, Prime Minister of Australia, to today's important debate.

We also wish to express our satisfaction at the excellent work undertaken by UNTAET in East Timor. Allow us further to convey our thanks and appreciation to Special Representative Sergio Vieira de Mello and to all the staff of UNTAET for their efforts to implement the relevant resolutions of the Security Council.

We cannot fail to welcome Mr. José Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation of East Timor.

Syria has followed the long road taken by the parties concerned towards 20 May 2002 and wishes to express its appreciation for the roles of the Special Committee on the Situation with regard to the Declaration on the Granting of Independence to Colonial Countries and Peoples and of the Constituent Assembly through its decision to convene direct presidential elections on 14 April this year. We believe that this is an excellent initiative and a decisive step on the road to East Timor's independence.

We welcome the elements in the report on progress achieved towards independence, particularly concerning constitutional and legislative measures, security conditions, the implementation of policies to encourage economic and social development, the issue of relations with Indonesia, East Timor's closest and historically most important neighbour, and steps taken by both parties to build mutual relations.

We would express our appreciation to the Indonesian Government for its determination to fulfil its commitments and for the measures it has taken to that end. In this regard, we believe that special relations should be fostered between Indonesia and East Timor, focusing on the best possible future for the peoples of both countries.

We are satisfied at the increasing role being played by the Administration in East Timor in governing the daily affairs of that country. We also express our appreciation for the encouraging results achieved by the Administration in economic and social development, particularly in generating income, improving the situation of poverty and unemployment and reforming the country's infrastructure, while stressing the need to focus on the role of women in peace and development in East Timor.

We stress the references in the report to the urgent need for resources to provide the necessary technical support for the development of the judiciary and the Police Service, as well as to international security assistance, which has a crucial role to play in promoting stability locally and regionally. We welcome the accelerated return of refugees despite misinformation and propaganda campaigns and hope that all obstacles in the way of the return of those refugees will be eliminated.

We fully understand that the future of East Timor can be guaranteed only by full reconciliation among all Timorese. We believe that this is crucial to the stability of the country. We also believe that development can be achieved in East Timor through such national reconciliation. The United Nations experience in East Timor is a success story by any standards and we hope that all the aforementioned efforts will be crowned with success and ensure the best possible future for the people of that country.

We support the recommendations in the report on extending UNTAET's mandate until the date of independence on 20 May 2002 and on the successor mission and its mandate to support the Administration in the post-independence period. We also wish to express our support for the independence of East Timor. We wish the people of that emerging country every success in the future.

Ms. O'Donnell (Ireland): I thank you, Sir, for calling this open meeting today. I would like to welcome our guests, Mr. Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation of East Timor, and Mr. Vieira de Mello, the Secretary-General's Special Representative. I am very pleased that the Prime Minister of Australia, Mr. Howard, has addressed this meeting. His presence and his important and committed intervention this morning demonstrate the continuing significance of international engagement on East Timor, both for the country itself and for wider regional reasons. Australia has played a critical role in assuring the security that has facilitated the transition of East Timor to independence.

Ireland associates itself fully with the statement which will be delivered shortly by the representative of Spain on behalf of the European Union.

This is the final time that the Security Council will be asked to extend the mandate of the United Nations Transitional Administration in East Timor (UNTAET). The next time the Council takes action on East Timor, it will be to decide on the successor United Nations mission to work with the Government of an

independent East Timor. What a heart-warming thought that is for all of us.

On this occasion, the Secretary-General has recommended that the Council extend the mandate of UNTAET until 20 May. Ireland is happy to support this recommendation and we look forward to the Secretary-General's proposals for the important United Nations post-independence presence. Ireland, of course, will be represented in East Timor on 20 May. It will be a day of great celebration and happiness indeed in Ireland.

We are watching in great admiration as the people of East Timor progress towards independence. The latest report of the Secretary-General on UNTAET gives a clear sense of the real advances being made. The setting of a date for the presidential election, the establishment of an independence day and the solid work of the Constituent Assembly are all welcome signs of a political system that is very quickly finding its feet. The Secretary-General's report on the development of the country's public administration points to important areas where the East Timorese people have assumed ownership, particularly in the education and health sectors. We note, too, that the East Timorese people will also be taking a predominant role in preparing and holding the election that will soon decide the country's first President.

A further development which Ireland strongly supports is the recent swearing-in of the members of the Commission for Reception, Truth and Reconciliation. We very much hope that the Commission will be able to assist the people of East Timor to achieve accountability through truth-telling and healing through reconciliation. Its work will take many years, but we believe it can be an important part of the effort to forge a more stable future for the country and, in due course, bring closure to the many injustices of the past.

Also of critical importance is the relationship between East Timor and Indonesia. We wish to see both countries working to improve links and to resolve outstanding bilateral issues, including the delineation of the border and cooperation on bringing to justice those responsible for serious crimes.

Today we mark further confident steps away from the traumatic events of September 1999 in East Timor, which followed the people's decision by a large majority to seek their future as an independent nation. The firm conviction of the Security Council at that time; the exceptional work carried out by United Nations personnel over more than two years since; and the bravery, perseverance and well-known resilience of the East Timorese people have brought us to the point where the Secretary-General can convey the positive news contained in his recent report.

That said, Ireland is convinced of the need for a strong United Nations role after independence. Continuing United Nations involvement is contributing importantly to the incremental advances being made in East Timor, and we believe this involvement must be maintained. We are very conscious that, because of the terrible circumstances that arose following the popular consultation of August 1999, the institutions of State are being constructed from the very foundations up. This presents enormous challenges and opportunities for the people after independence — challenges and opportunities which the international community, including the United Nations, must assist them in facing.

The Secretary-General has highlighted those priority areas where the East Timorese Government will require support and guidance until mid-2004. The creation of a critical mass of indigenous administrative, military and policing expertise will require further support from the international community.

We are especially mindful of the size of the task involved in building national defence and police forces — all the more so for a new, small, developing State which so recently suffered such violent confrontations. We note the headway being made in relation to the East Timor Defence Force and Police Service, and we commend it, although we have to expect this to be a gradual and incremental process.

We welcome also the fact that the Secretary-General's approach to future United Nations involvement in East Timor remains consistent with the strong proposals outlined last October. We agree that this United Nations presence should be a robust one. We also agree that, together with bilateral and other multilateral arrangements, the United Nations can and should play a major role in ensuring that the rewards flowing from the hard work of UNTAET can be maintained and increased for the benefit of the people of East Timor.

Ireland is one of those already involved in a range of development cooperation programmes in East Timor. We have done so since 1999, and last year we

opened a representative office in Dili. Our experience there has shown us that bilateral aid is crucial to the future development of East Timor.

East Timor has already been identified by Ireland's development aid programme as a priority for reconstruction and rehabilitation. Ireland Aid, which has opened our office in Dili, is implementing an initial country strategy designed to support the transition to democracy and general rehabilitation activity in East Timor. The field experience that is being acquired through the implementation of this strategy will provide the basis for the development of a full country programme in due course.

Our experience on the ground has also shown us that the unique dimension of the engagement of the United Nations in the administrative and security tasks is also still required. The Organization will have a vital role in maintaining progress in East Timor towards an effective Government and full independence for the first time after four centuries of external rule.

In a matter of months, the Security Council will consider the application of East Timor for membership in the United Nations. The Council will, during the coming period, have a unique opportunity to shape positively the future of this new Member, in full collaboration with its citizens. Ireland will do its level best to ensure that after 20 May, the United Nations presence is one that best suits the requirements of the Government and people of East Timor. That is, we believe, the best way to consolidate the progress that the Organization and the people of East Timor have built together.

Mr. Williamson (United States of America): I would like to thank Mr. Vieira de Mello for his good work and for his report this morning.

The briefing heard this morning illustrates yet again that East Timor is on the right track. I take advantage of the presence of Cabinet Minister Ramos-Horta to ask him to convey to the members of the Constituent Assembly our commendations for the progress they have achieved thus far in moving through the difficult process of drafting a first constitution. At the same time, I would urge them, all East Timorese involved in the political process, and the United Nations to stay on track for the elections in April and independence on 20 May.

The United States supports a rollover of the United Nations Transitional Administration in East Timor (UNTAET) through May, as proposed in the draft resolution we expect to approve tomorrow. In April, once United Nations planning and East Timor's political developments become clearer, the Council should begin work on a resolution establishing the post-independence role of the United Nations, already foreshadowed in the presidential statement we adopted in October 2001.

I would like to reaffirm the support of the United States for the successor mission concept, as discussed in October and fleshed out more extensively in the most recent report. At the same time, I would like to stress that neither UNTAET nor a successor United Nations mission can eliminate all the challenges that face an independent East Timor, as with those that any developing nation will face in meeting the needs of its citizens and achieving economic prosperity.

United Nations peacekeeping is not a substitute for, or a short cut around, the long-term development process. In his most recent report, the Secretary-General speaks of independence day, 20 May, as a new starting point from which the international community and an independent East Timor will need to forge a new kind of partnership. We look forward to East Timor's moving into normal relationships with the international community and assuming responsibility for its own affairs, within the context of a decreasing peacekeeping role and an increasing traditional development framework. To get there, the United Nations and the East Timorese need to work with the widest range of bilateral donors, interested agencies and non-governmental organizations to ensure that other appropriate mechanisms of support are put in place as the extraordinary measures financed through peacekeeping assessments progressively diminish within the next two years.

The United Nations must help this process by staying on schedule with the downsizing it has set for itself between now and independence, and I laud Mr. Vieira de Mello for doing that so well. The Organization must do so by carefully planning to move from the independence day successor mission numbers to a goal of zero peacekeeping finance support by mid-2004.

We welcome ongoing efforts to reduce UNTAET's military force level to 5,000 by May, and

we support plans to downsize the United Nations civilian police (CIVPOL), keeping the focus on executive policing and the increasingly important work of training the East Timor Police Service. The progress made with the East Timor Police Service and Defence Force is an example of how to move East Timor towards self-reliance, transferring operational responsibilities to East Timorese authorities as quickly as possible.

The United States pledges to continue its bilateral support for East Timor, as well as its support within the United Nations context. We also look forward to working with an independent East Timor to help develop the entrepreneurial and commercial activities that will be crucial to its prosperity. And we look forward to independence, not because of some celebration, as there is too much work ahead to celebrate too long, but because East Timor's progress is truly historic.

Mr. Mahbubani (Singapore): Before I begin my prepared text, I would like to make a few preliminary observations.

We began our discussions this morning in this Chamber with a very important meeting with Mr. Karzai, the head of the Interim Authority in Afghanistan. It is no secret that the United Nations faces formidable challenges in Afghanistan, and none of us knows what the results will be like. I mention this because, if indeed we do succeed in East Timor after having faced many serious challenges two years ago, this success in one corner of Asia — the south-eastern corner — will have, we hope, a ripple effect and also contribute to the success of another, probably even more challenging, assignment — the one that we are taking on in Afghanistan.

We also want to join our colleagues, of course, in paying tribute to Australia for the contribution it has made to East Timor, and we certainly welcome the important speech that was made by its Prime Minister when he addressed us this morning.

We also welcome the presence of Ms. Liz O'Donnell, Minister of State of Ireland, particularly because Ireland's contributions to East Timor have also been exemplary.

We would like to begin by thanking the Secretary-General for his excellent report. It is both comprehensive and detailed, and it makes a strong case for the way ahead for the United Nations role in East Timor. We welcome the Special Representative of the Secretary-General, Sergio Vieira de Mello, and the Senior Minister for Foreign Affairs and Cooperation of East Timor, José Ramos-Horta, back to the Council. We thank Mr. Sergio Vieira de Mello for his briefing, which was, as usual, insightful and useful. We are confident that Mr. Ramos-Horta's briefing will be equally insightful and useful. It might actually be helpful if he could respond to some of the comments made this morning, as part of a dialogue that we should have with the East Timorese in the build-up to independence.

We fully support the renewal of the mandate of the United Nations Transitional Administration in East Timor (UNTAET). East Timor today, standing at the threshold of independence, is a very good example of what the United Nations can achieve. Indeed, what the United Nations has accomplished in East Timor is remarkable by any standard. Indeed, it is hard to find a good historical comparison. From scratch, the United Nations has, in less than three years, helped to restore peace and normalcy to a shattered land, nurtured a nascent East Timorese Government and put in place a democratic process that saw the peaceful and successful elections of the country's very first Constituent Assembly. For this we must acknowledge the efforts of the Secretary-General, Mr. Kofi Annan, and, of course, of our good friend Sergio Vieira de Mello, as well as those of UNTAET and all of those who have worked tirelessly to bring East Timor to where it is today.

But — and I am glad that the Australian Prime Minister also made this point — it is clear that the United Nations has unfinished business in East Timor. Despite the remarkable progress made since October 1999, there is still much of the United Nations mandate that is left uncompleted. The Secretary-General, in his latest report, stated that

> "the comparative fragility of the political foundations of this new country, its very limited pool of professional and administrative expertise, lack of strong independent security mechanisms and nascent state of economic development mean that East Timor will continue to require significant assistance from the international community well after independence, in order to ensure stability and realize the potential for

progress that has been generated over the past two years". *(S/2002/80, para. 4)*

East Timor's independence, therefore, does not mark the end of the United Nations engagement in East Timor. On the contrary, it signals the beginning of an important new phase of United Nations involvement — one where the United Nations and the international community must make secure the gains achieved for a lasting period.

Of course, it is not anyone's intention that the United Nations should linger on in East Timor for any longer than necessary. We do believe that East Timor needs a good exit strategy. But the United Nations cannot ensure the continued success of its good work in East Timor unless its Members are fully committed to a smooth and successful transition. It is all too easy to succumb to the mistaken persuasion that the United Nations should disengage as rapidly as possible simply because the situation in East Timor now appears to have stabilized. This is an overly simplistic and dangerous view. There are enough examples in recent history to warn us of the dangers of precipitate exits, for instance, Afghanistan — the subject of our first meeting this morning — and Somalia.

Should the situation in East Timor unravel as a result of the United Nations haste to depart, we will again find that the cost of prevention would have been much less than that of the cure. As I had pointed out at our last meeting on this issue, in October 2001, what the United Nations has achieved in East Timor has come about only through hard thinking, shrewd judgement, hard work, dedication and commitment. I wish also to reiterate that we should never take this success for granted, because it is a remarkable — perhaps even exceptional — story. It is therefore the Council's job to continue to make the right decisions in order to ensure that it gets the job in East Timor done right today so that it does not have to return tomorrow.

How the United Nations handles East Timor after independence will have wide-ranging consequences for our region as a whole. East Timor's future and that of our region are inextricably linked. East Timor is, therefore, for us and for others in the region, not just another abstract agenda item but a question of vital and immediate strategic importance. A stable East Timor can contribute to the stability and security of the region and complement the region's efforts to prevail over the political and economic problems it faces. It would be remiss of us to let East Timor run the risk of becoming a failed State. The stakes are too high, both for East Timor and the region. The Council has recognized and affirmed the need for a substantial international presence in East Timor after independence. It must now sustain and build on that momentum to ensure that the United Nations effectively follows through on its commitment to fulfil its responsibilities in East Timor.

The Secretary-General has put forward a set of recommendations for the United Nations successor mission in East Timor, and the Council broadly endorsed those recommendations in an October 2001 presidential statement. With the renewal of UNTAET's mandate — which, as Ambassador Eldon said, the United Kingdom and Singapore have worked on, and which we hope will go through smoothly this week — we now look forward to more specific proposals from the Secretary-General on the follow-on United Nations peacekeeping operation and to a thorough discussion of these proposals in due course.

Finally, I wish to conclude by referring to a small point that came up in the Council's debate on East Timor on 31 October last year — that is, the discussion between France and Singapore on this issue. I am pleased to inform the Council that France and Singapore have had a healthy exchange of views on our respective contributions to East Timor. We have agreed that both countries have contributed significantly to the territory, both in the early days of INTERFET as well as in the period of UNTAET. We also agreed that France and Singapore have a common interest in ensuring that East Timor becomes a true success story of the United Nations. France and Singapore will work closely together to achieve this conclusion.

Mr. Kolby (Norway): First of all, I would like to welcome Mr. Sergio Vieira de Mello and Mr. José Ramos-Horta once again to the Council. We are very much impressed by all of the work they have undertaken. It seems to us that, in spite of the challenges, East Timor is on the right track.

We are very encouraged by the continued progress made. The United Nations is getting closer to fulfilling the goals set forth by the Council in its resolution 1272 (1999), and the downsizing of the United Nations Transitional Administration in East Timor (UNTAET) is on schedule. There is, however, still some way to go, and the continued support of the

international community in fostering long-term security and stability is therefore required.

East Timor is in the process of transforming itself into an independent country. This places significant challenges Before its leadership. During the Oslo donors conference of December 2001, we were encouraged to see the Transitional Government taking the lead in the discussions and clearly displaying ownership of the process. We have confidence in its plans and strategies for the management of an independent East Timor.

The drafting of the constitution is well under way, and we trust that the popular consultation will further contribute to a document establishing a unitary democratic State based on the rule of law and the principle of separation of powers. As far as the April presidential elections are concerned, we are convinced that UNTAET and the East Timorese will ensure that they take place in a transparent and peaceful manner.

As we have repeatedly stated, Norway attaches great importance to the instigation of criminal proceedings against persons responsible for serious crimes. We therefore welcome the first conviction for crimes against humanity delivered by the Special Panel for Serious Crimes last December, which clearly demonstrates that such crimes will not go unpunished.

Another fortunate development is the inauguration of the truth and reconciliation commission earlier this month. As we have witnessed in other post-conflict societies, the search for truth and reconciliation is not a soft option, but a huge challenge. However, this is the only way to freely and genuinely move forward into the future as a united nation. In the light of the financial constraints experienced by both the Special Panel for Serious Crimes and the truth commission, my Government will consider the possibility of providing additional funds for these processes.

We also welcome the recent appointment by the Indonesian Government of the 18 judges to serve on the ad hoc tribunals for serious crimes committed in East Timor during 1999. We expect the trials to commence shortly so that justice for the East Timorese is served in a complete and holistic manner. Allow me to add that we are pleased to note that the bilateral relations between East Timor and Indonesia are improving. This is crucial for the prosperous development and the long-term stability of the region.

In addition to the assistance provided by the United Nations through a successor mission to UNTAET, East Timor will be in need of bilateral development assistance in the crucial years following independence. We are prepared to contribute our share in this regard, and we urge other donors to live up to their commitments as stated during the Oslo donors conference.

We are impressed by the work done by the United Nations, the World Bank, the International Monetary Fund and the Transitional Government to develop sustainable fiscal and development strategies for the new nation. These are crucial steps in order to promote a smooth United Nations exit and to foster long-term stability. During the Oslo meeting, the Transitional Government urged donors to provide budgetary support for the years 2002 to 2005. Norway acknowledges the need for such support, and we are confident that the Government will establish the required modalities on the recipient side.

As we have previously stated, Norway supports the Secretary-General's recommendations as to a successor mission with military, civilian and civilian police components, funded by assessed contributions. We look forward to engaging in a more in-depth discussion on the exact mandate and size of the successor mission this spring.

Let me end by once again thanking the Secretary-General and his Special Representative for the excellent work done so far in East Timor. We support the Secretary-General's recommendation to extend the mandate of UNTAET until 20 May 2002. We also very much look forward to being present at the first donors meeting to be held in Dili, as well as to the celebration of independence on 20 May this year.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): I also join in the expressions of appreciation extended to Mr. Sergio Vieira de Mello, particularly for the excellent briefing and report he has given us on East Timor's process of independence and on the participation and presence of the United Nations in that country after 20 May 2002. I also wish to acknowledge and welcome the presence of Mr. José Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation of East Timor. My country also appreciates the participation of the Honourable John Howard, Prime Minister of Australia, in this discussion, and we

welcome the presence of Ms. Liz O'Donnell, Minister of State for Foreign Affairs of Ireland.

We join all those who, at this table and beyond it, have expressed their views in support of maintaining international cooperation to consolidate the peace process that will lead to the emergence of a new independent State, consistent with the will expressed by the people of East Timor. The international community and this Council should be very proud and pleased when East Timor joins the international family as an independent nation next May.

However, we believe that the months prior to the official declaration of independence remain critical for guaranteeing the stability and security of this new State, particularly in the holding of presidential elections next April. Therefore, we believe that the role of the United Nations Transitional Administration in East Timor (UNTAET) is fundamental for maintaining the stability of the process and avoiding the emergence of troubles onto the political scene.

Mexico welcomes the progress made by UNTAET to lay the political foundations of a new State. We commend that body's contribution to national reconciliation, the assistance afforded for the creation of operational machinery to bring about a new administration. The rule of law, the administration of justice, respect for human rights, border security, the advancement of the national reconciliation process and the return of refugees in conditions of security and dignity — those are all matters of special importance that will require international support and priority attention from the new Government. This international support, we believe, should continue under the leadership of the United Nations.

The prosperity of the new State will, in great measure, depend on the efficiency, determination and honesty with which justice is administered and with which violence and crime in East Timor are suppressed and punished.

We support the recommendations of the Secretary-General contained in his report (S/2002/80), both with respect to the extension of UNTAET's mandate and to its reconfiguration. We await with great interest the detailed proposals of Secretary-General Kofi Annan for UNTAET's successor mission. We believe that the presence of the United Nations following the independence of East Timor should continue to preserve the three key elements set forth in the Secretary-General's priorities: a military component, a civilian police component and, of course, a civilian component of support for the transition to the new governmental administration. All of this should be done within a time period that will not jeopardize the stability and progress that have been achieved.

We reiterate our support for basing the successor mission on the principle that operational responsibilities should be devolved to the East Timorese authorities as soon as is feasible through an ongoing process of mission assessment and downsizing over a period of two years starting from independence.

Mexico believes that, in addition to taking account of the views of the East Timor authorities, countries that contribute troops to UNTAET should also be consulted during the reconfiguration period before and after independence. To ensure the success of our exit strategy, their opinions must be taken into account with respect both to the drawdown of troops and to the situation on the ground. We hope that those countries will contribute their experience to the training of the East Timor Police Service, with a view to ensuring a more secure environment.

Mexico believes, too, in the need for ongoing, close dialogue between the new East Timor authorities and Indonesia. Progress is needed on resolving pending issues such as border delimitation including maritime boundaries, fighting cross-border crime and establishing a framework of political, economic and educational cooperation that would bolster friendship between the two nations.

In that context, Mexico hails the establishment of an Ad Hoc Human Rights Court in Indonesia to deal with violations that took place in East Timor in 1999. The political will of the President of Indonesia was reflected in her appointment of 18 judges, who will join the 12 recommended by the Indonesian Supreme Court. We hope that the work of the Human Rights Court will progress with the speed warranted by the situation.

As others have said at today's meeting, East Timor provides one of the best examples of the possibility of putting together an integrated strategic partnership to resolve a conflict in keeping with the maintenance of international peace and security and, beyond that, to make possible the orderly birth of a new nation which, we hope, will become a proud, full-fledged Member of the United Nations. The presence

of the United Nations as a prominent actor in the political process that will culminate in the emergence of the new State has been facilitated by the experience and technical capacity of the multilateral system as a whole.

Cooperation between East Timor and the international community must be tightened in order to maintain stability, help remove threats to internal and external security and, above all, promote the economic and social development of East Timor. The efforts of the United Nations system, and its advocacy and coordination with the participation of other States, are essential to promote public and private investment in the economic development of East Timor. This economic and social development and the well-being and prosperity of the citizens of East Timor will be the foundation of the independence and self-determination of East Timor and the source of their viability.

Let me conclude, Mr. President, by thanking you for the outstanding way in which you, the Minister for Foreign Affairs of Mauritius, have guided the work of the Council.

The President: I thank the representative of Mexico for the kind words he addressed to me.

Mr. Tafrov (Bulgaria) (*spoke in French*): At the outset, I welcome Mr. José Ramos-Horta and ask him to convey our greetings to the other representatives of the people of a State that we hope will very soon become a Member of the United Nations. My special thanks go to Mr. Sergio Vieira de Mello not only for his excellent introduction of the report of the Secretary-General (S/2002/80) but also for the fine work that he and his team have done and are continuing to do in East Timor. Their work is the basis of the success that we are all hailing today.

As an associated State of the European Union, Bulgaria fully supports the statement that the Spanish presidency of the Union will make later today. I should like now to make some very brief comments in my national capacity. First, Bulgaria welcomes the unquestionable success of East Timor for the United Nations and the international community. That country, with its nascent democracy, is on the right path. That is not to minimize the enormous difficulties it will have to confront. Others have spoken of these today: sources of concern include the fragile security situation and the question of the return of refugees.

But my delegation has no doubt that on 20 May a new State and prospective Member of the United Nations will be born. To be sure, the presidential elections set for 14 April will be a moment of truth for this nascent democracy. But 20 May will see the birth of the new State. It is my country's position that United Nations involvement cannot cease on 20 May. The challenges facing East Timor are of such magnitude that we cannot afford to disengage the Organization from that country at such a crucial moment in its history.

Bulgaria believes that the United Nations must deploy the full range of its agencies and its capacities to foster true success in building the new State. In that connection, the proposals of the Secretary-General set out in the annex to his report (S/2002/80) are entirely consistent with our wishes. These, of course, need to be more clearly spelled out before independence.

Accordingly, Bulgaria will give its full support to the draft resolution now being prepared. Here, we thank the delegations of Singapore and of the United Kingdom for their work. We shall vote in favour of extending the mandate of the United Nations Transitional Administration in East Timor until 20 May.

Mr. Granovsky (Russian Federation) (*spoke in Russian*): The tone of today's discussion has, of course, been set by the most recent report of the Secretary-General on East Timor. We support the basic provisions of the report and its conclusions, including the recommendation to extend the mandate of the United Nations Transitional Administration in East Timor (UNTAET) for a final period, to 20 May 2002.

We agree with the Secretary-General's conclusion that the people of East Timor and the international community have reason to be proud, given everything that they have achieved to date. We commend the work done by UNTAET, carried out under the wise and effective guidance of the Special Representative of the Secretary-General, Sergio Vieira de Mello, as well as the progress achieved towards establishing statehood in the territory through independence.

We welcome in particular the successful Timorization of authority in the territory -- in our view, that is the only true path towards building an independent, stable State. On the whole, we believe that the United Nations has played a key role in resolving the crisis in East Timor; now we must

envisage the evolution of the role of the Organization within the international community's post-conflict presence in the new State. In this regard, we fully agree with the approach set out by the representative of the United States of America. We believe that the scale, configuration and time frame for the future international presence should be determined by analysing the real needs of East Timor, as well as the pace of developments in the situation on the island, taking full account of the position of the Government of the country.

We support in principle the idea that the overall duration of the future mission should not exceed two years. We are convinced that in helping to establish an independent State we need to involve a broad spectrum of organizations and agencies from within the United Nations system. At the same time, regional structures, international financial institutions and individual donor countries should bolster the efforts of the United Nations, which will have to play a coordinating role in this process.

We also believe that as State structures are established in East Timor, the international presence should gradually be wound down. All of these processes, including the transition from UNTAET to the new form of the United Nations presence, should be smooth and carefully regulated so that the achievements of the United Nations in East Timor can continue successfully.

In the light of the points that I have just made, we support the thrust of, as well as the specific ideas contained in, the most recent report of the Secretary-General. We pay tribute to the Secretariat and UNTAET for the enormous amount of work that they have done in developing ideas regarding the future United Nations presence. In this context, however, we must once again note that so far we have not been given a unified, comprehensive concept of future international assistance by the United Nations to East Timor. We are focusing on that issue because we are convinced that, without such a concept, the future activities of the United Nations in East Timor will be based, at best, on mere serendipity, rather than on well calculated, long-term strategies.

It is clear to us that a responsible approach to this matter would require not only expertise, but close coordination of action with all the international players that will be providing assistance to East Timor. We are not talking about giving additional work to any United Nations or international institutions; we are saying that we need to ensure a well-organized, well-thought-out division of labour between them, in accordance with their relevant competences.

We hope that the Secretary-General's detailed proposals to the Security Council will be submitted in good time — ideally by early April — so that the Security Council can elaborate the mandate for the new mission without undue haste, and thus help to foster a smooth outcome to the situation after East Timor gains independence.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): My delegation would like first of all to congratulate Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General for East Timor, and to thank him for his very informative statement. My delegation also welcomes the presence at this Council meeting of the Prime Minister of Australia, The Honourable John Howard; we would like in particular to thank him for his important statement, reflecting his country's invaluable contribution to the development of East Timor.

My delegation would like to extend a special welcome to the Foreign Minister of East Timor. His country will gain its independence on 20 May 2002; 20 May is also Cameroon's national holiday. On 20 May 2002, therefore, our two countries will be celebrating. In anticipation of that happy event, Cameroon, which looks forward to welcoming East Timor to the great family of the United Nations, would like to assure the Minister of its desire to maintain relations of confidence and close cooperation with his country.

On 31 October 2001 the Security Council accepted the recommendation of the Constituent Assembly to the effect that the independence of East Timor should be proclaimed on 20 May 2002. My delegation is impressed by the work that has been accomplished since that time by the United Nations Transitional Administration in East Timor (UNTAET). As the report of the Secretary-General states, important progress has been made in the political sphere and concrete results have been achieved in the complex task of setting up a public administration for East Timor. The situation with regard to security has continued to improve, and policies favourable to economic and social development are being implemented.

We note some specific instances of those concrete advances and results. The first is the holding on 14 April of the election of the first President of an independent East Timor.

The second concrete, positive case in point is that the constitution of a new State is being worked out, a constitution that is establishing a unitary, democratic State, based on the rule of law and the principle of the separation of powers.

The third concrete, positive achievement is that the administrative structures are being strengthened, particularly with the creation of an Inspector General's Office, and measures are being undertaken by the Timorese Government to accede to a number of international instruments and organizations once independence is declared.

The fourth positive example concerns the repatriation of refugees. Cameroon welcomes the fact that such repatriation is continuing. As Mr. Vieira de Mello said earlier, there have already been 192,000 returns, with only 60,000 refugees remaining in West Timor. We believe that in order to encourage the process of repatriation, protection and follow-up measures should be envisaged and enhanced. In this respect, I join in the appeal made earlier by the United Kingdom.

The fifth positive point concerns the relations between East Timor and its neighbours. Cameroon has been following this issue with the greatest interest, since harmonious relations between Indonesia, Australia and East Timor are of crucial importance for this young State. We were reassured by the information provided on future meetings to lay the foundations for those relations and the prospect of the creation of a South-West Pacific forum. We extend our best wishes for success, in that regard, to the trilateral meeting of 26 February 2002 between Indonesia, Australia and East Timor.

As we have seen, important advances have been made that are inexorably leading to the independence of East Timor. But the objectives that the Security Council has set are still far from being achieved. It is necessary to maintain a peacekeeping operation before and after independence, and we add our voice in this respect to the very eloquent argument made by the Ambassador of Singapore for the United Nations to remain in East Timor. He expressed with particular eloquence the concerns and consequences to which we would lay ourselves open in the event of an untimely withdrawal.

We also think that the East Timor Public Administration is still greatly dependent on the resources of UNTAET for its operations. The international community should therefore seek the means to meet its needs after independence, lest too great a downsizing of the means available for government action become a destabilizing factor. In that regard, we appreciate the plan for the successor mission to UNTAET, which provides for the maintenance of the United Nations peace mission to ensure East Timor's stability.

As for international assistance in the area of development and poverty reduction, we welcome the initiative undertaken by UNTAET and the United Nations Development Programme to develop plans with a view to proper management of the State's resources.

To conclude, Cameroon associates itself with the recommendation of the Secretary-General that the Security Council extend UNTAET's mandate.

Mr. Diallo (Guinea) (*spoke in French*): I would like to thank you, Mr. President, for having organized this meeting on the United Nations Transitional Administration in East Timor (UNTAET), whose success is cause for satisfaction for the international community.

I take this opportunity to express our appreciation to the Secretary-General for the high quality of his report and to pay due tribute to Mr. Vieira de Mello for the work he has accomplished within UNTAET.

My delegation welcomes the presence here at the start of the meeting of Mr. John Howard, Prime Minister of the Commonwealth of Australia, whose country has made a substantial contribution to the maintenance of peace and stability in East Timor.

I would also like to welcome Mr. Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation of East Timor, who is one of the tireless architects of the East Timorese people's struggle for self-determination.

The positive outcome in resolving the issue of East Timor is to the credit of the international community as a whole, and specifically the United Nations. The efforts undertaken in the political, economic, social, security and humanitarian areas are,

in the view of my delegation, invaluable and should be encouraged.

Regarding the political aspect, my delegation welcomes the discussion and approval of most of the new draft constitution, and hopes that the discussion will be concluded on time in order to enable its final adoption.

We appreciate the dialogue under way between East Timor, Indonesia and UNTAET. We encourage the continuation of this dialogue in order to reach a final settlement of all the problems that have not been resolved. In this respect, my delegation anticipates with interest the results of the high-level meetings planned for February 2002.

My delegation expresses the wish that the presidential elections and the declaration of independence, to take place in April and May 2002 respectively, be carried out peacefully and democratically.

My delegation also greatly appreciates the actions taken to find a solution to humanitarian problems, particularly with regard to refugees. In this respect, we welcome the establishment of the Commission for Reception, Truth and Reconciliation, which must be supported.

With regard to security, we note with satisfaction that reported crime remains low. However, vigilance and deterrence measures must be maintained and reinforced.

With regard to violence against women and children, my delegation supports the proposal on multisectoral interventions. We think that such interventions could, within a complementary framework, be coordinated by the Division for the Advancement of Women of the United Nations Secretariat, the United Nations Children's Fund and the United Nations Development Fund for Women.

The establishment in September 2001 of the Planning Commission is an excellent initiative. It should speed up the completion of the final version of the National Development Plan. The international community's support is essential for the formulation of a Land and Property Code, which will enable the settlement of legal disputes and encourage investment.

My delegation supports the provisions of section III of the report on UNTAET's successor mission. We especially endorse paragraph 75 of the report and urge the international community to consolidate past achievements by providing the necessary support of financial and human resources.

We welcome the fact that planning by the Integrated Mission Task Force continues at Headquarters and by integrated planning teams in the field. Coordination between these teams will make it possible to elaborate strategies guaranteeing a better follow-up by the United Nations Mission after independence.

The drafting of laws and the establishment of democratic institutions is one thing. Respect for them is quite another. Progress towards democracy can be strengthened only through solid educational programmes for the East Timorese. That is why my delegation suggests organizing an international donors' conference, preferably before the declaration of independence. Such a meeting would mobilize resources and direct them to programmes that have been previously selected.

My delegation supports the Secretary-General's initiative underlining that international assistance for East Timor must be transformed as quickly as possible into a more normal formula for development aid.

In conclusion, my delegation approves the recommendation on the extension of UNTAET's mandate as indicated in paragraph 104 of the report. We await with interest the Secretary-General's proposals for UNTAET's successor mission after independence.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation would like to thank Mr. Vieira de Mello for his comprehensive and encouraging briefing. We also welcome the presence of Mr. John Howard, the Prime Minister of Australia, and thank him for his important statement. We also welcome the Senior Minister for Foreign Affairs and Cooperation of East Timor, Mr. José Ramos-Horta, for his presence at the Council's meeting.

Since our last meeting on the situation in East Timor, more progress towards independence has been made. The East Timorese Public Administration continues to play an increasing role in running the daily affairs of the country. The defence and police forces are developing according to schedule, and the security environment is improving.

After the Constituent Assembly announced that the formal declaration of independence would take place on 20 May 2002, Mr. Vieira de Mello announced, a few days ago, that the presidential election will be held on 14 April. We hope and believe that, like the election of the Constituent Assembly last August, the presidential election will also be held in a free, fair and orderly manner and that the outcome will be accepted by all sides, which is extremely important for a smooth transition and for lasting peace and stability after independence.

We noted with satisfaction that the United Nations Transitional Administration in East Timor (UNTAET), in the light of the development of the situation, has reduced its presence there in a planned manner.

We appreciate the huge amount of work done by Mr. Vieira de Mello and UNTAET under his leadership in helping the people of East Timor achieve independence. We also admire the tireless efforts of the people of East Timor aimed at controlling their own destiny.

On the other hand, as pointed out by the Secretary-General in his report, the situation in East Timor is by no means all peace and prosperity. As a nation State, it has only a very limited pool of professional and administrative expertise, and it still has some security problems. East Timor's development in all its aspects will continue to require international assistance. Therefore, in order to ensure continued stability and development in East Timor and the successful completion of the United Nations Mission, it is necessary to maintain an appropriate presence in post-independence East Timor and to devise a comprehensive and sophisticated exit strategy. This is the consensus reached by the international community, including the members of the Security Council.

The Secretary-General in his report has provided a detailed description of the post-independence international presence, which includes three components: military, police and civilian. It proposes a framework for UNTAET's successor mission. We are of the view that the Secretary-General's analysis is based on an objective assessment and that his proposals are practical, since they provide us with a good basis for our future work on the mandate and the configuration of the successor mission. We support the relevant proposals of the Secretary-General. We also agree with his view that the successor mission needs to ensure that all operational responsibilities are fully transferred to the East Timorese authorities as soon as is feasible without jeopardizing the stability and progress achieved.

Finally, we can agree with the Secretary-General's recommendation of extending the present mandate of UNTAET until 20 May 2002. We are looking forward to the specific ideas and recommendations of the Secretary-General regarding the successor mission.

Mr. Franco (Colombia) (*spoke in Spanish*): Allow me at the outset to express thanks for this morning's statement in this Chamber by His Excellency John Howard, Prime Minister of Australia. Australia has been at the forefront in supporting the independence process in East Timor. We all recognize this.

We also welcome Mr. José Ramos-Horta and the Minister of Ireland, Liz O'Donnell. We are also grateful for the information presented by Mr. Sergio Vieira de Mello, whom we congratulate once again for the work he has done.

Finally, I would like to acknowledge the efforts by the Indonesian Government aimed at cooperating constructively in the solution of the problems in East Timor. We express the wish that Indonesia and East Timor will be able to develop mutually beneficial neighbourly relations.

This morning, in this Chamber, we heard Mr. Hamid Karzai, Chairman of the Interim Administration of Afghanistan. Mutatis mutandis, I believe that one can engage in a certain parallel between the role of the Security Council and the international community in the political processes of both situations. Both cases are in the limelight of international attention and there are great expectations that the near future for both will be one of well-being, prosperity and independence for their populations. Both cases have undergone a process of transformation in which the Security Council has played a critical role. In both cases, hopes for a better future emerge from the catharsis of having known violence. Both cases represent the expectations as to what the international community can and should do to create a better world.

In East Timor, the countdown has begun. The Constituent Assembly decided that direct elections

should be held to choose the first President of East Timor on 14 April 2002. That date is only 73 days from today. The Constituent Assembly finished the process of considering the draft Constitution, and subsequently, 20 May was chosen as the date of independence for East Timor. That ceremony will enjoy the presence of numerous presidents and heads of State, as well as Secretary-General Kofi Annan, thus marking the great significance of that occasion and its truly historic import. I would like to suggest that we seek a mechanism so that the Security Council can be represented at that ceremony through its President, which at that time will be Singapore, or through the presence of one of its highest-ranking members.

Following the recommendations of the Secretary-General in the report before us, the Council members have decided to wait for his next report in order to take a decision with respect to the successor mission. However, I would like to offer a few comments based on our view on this matter.

First, we firmly believe that the international community must continue supporting East Timor after independence in order to consolidate the process and not jeopardize the excellent work done by UNTAET in preparing the new East Timorese Administration. Secondly, we support the basic components of the plan for the successor mission, which proposes a continuation of the United Nations peacekeeping operation, appropriately downsized, including military, civilian police and small civilian components and a group of experts to provide assistance to the new Administration in East Timor. It is clear that the new Administration will need to be consistent with these proposals.

Thirdly, we would stress that all the operational responsibilities must be transferred to the East Timorese authorities, taking due care not to endanger stability and the progress achieved. This is a critical stage. It will be necessary to be on the alert and to evaluate each step in order to avoid setbacks in the process.

Finally, we reiterate that there cannot be full reconciliation unless those responsible for atrocities are brought to justice. To that end, progress must be made without delay.

Mr. Levitte (France) (*spoke in French*): I was just saying to my neighbour and friend, Ambassador Franco, that he took the words right out of my mouth. I wanted to congratulate you, Mr. President, for having organized this morning two debates that are two important symbols of the role that the United Nations can play in helping peoples in dire straits to affirm their rights and achieve their aspirations. It is fortunate that we had these debates one after the other this morning. I do not want to extend this parallel further, because Ambassador Franco said this in Spanish and made the point better than I could in French.

I, too, would like to say how much we appreciated the presence of Prime Minister John Howard at this table, and I pay tribute to the role that Australia has played throughout this great adventure in East Timor since the very first days of the International Force in East Timor (INTERFET). As was the case in previous meetings, I would like to warmly welcome Mr. Sergio Vieira de Mello, and I thank him for his usual clear, precise briefing. It has perfectly covered the outstanding work done by the United Nations Transitional Administration in East Timor (UNTAET) under his effective, inspired guidance.

I would also like in the most warm and friendly way to once again welcome to this table our friend José Ramos-Horta, the East Timorese Minister for Foreign Affairs and Cooperation. The success of the transition to independence owes a lot to him; it was he, in fact, who was, and remains, the architect of the integration of the future independent East Timor into the regional environment. In the space of just a few months, he has successfully presided over the normalization of relations with the Government of Indonesia and, in particular, relations with President Megawati.

Later in this debate a statement will be made on behalf of the European Union. France fully supports that statement, and as we are one of the last speakers in this debate, I will limit myself to just a few comments.

Today's debate is occurring at a turning point in the history of Timor. UNTAET will continue its mandate until 20 May, independence day. A resolution will be adopted tomorrow for that purpose. UNTAET will thus confirm what has been unanimously welcomed as one of the great success stories in the history of the United Nations.

UNTAET has, in exemplary fashion, discharged the various elements of its mandate. The political and administrative transitions are taking place smoothly; security has now been established throughout the territory; the process of reconciliation is well under

way; and, finally, the conditions for economic revival are now present, and the first figures attest to this fact. But the history of East Timor does not stop there, of course. Another success story remains to be written: that of the post-independence period. The logic of this will be different, as the Secretary-General stressed in paragraph 101 of his report:

> "it is important that international assistance to East Timor revert to a normal development model as soon as feasible".

The form of the future international presence has been largely drafted. It seems satisfactory, with a two-year time frame, a civilian presence geared towards some key needs of the Timorese Administration, and a military presence which will be gradually reconfigured in order best to meet the needs of the Timorese: 5,000 men on independence day, and after that it will be undoubtedly between 2,500 and 3,000.

All these issues will be addressed in the next report of the Secretary-General, scheduled to be issued in April following the Timorese presidential elections. After that, our Council will adopt a resolution that will be of particular importance because it will establish the integrated United Nations mission. In this context, we deem it desirable for our Council to hold its next debate in the presence of representatives of the United Nations Development Programme, the World Bank and the International Monetary Fund, as it has done repeatedly in the past.

A threefold partnership should be established, first, among the United Nations bodies, in which the General Assembly would have an important role to play in formulating peace-building strategies; secondly, between the Security Council and the troop contributors, which must be properly consulted, in accordance with the innovative formula contained in resolution 1353 (2001), in private meetings with the Council; and, finally, between the Security Council and the other stakeholders, including such international financial institutions as the International Monetary Fund and the World Bank; such regional organizations as the Association of South-East Asian Nations and the Asian Development Bank; bilateral donors and private corporations. We must establish global partnerships, pursuant to the wishes of Secretary-General Kofi Annan.

In a word, in conclusion, we must all together pursue our efforts to ensure that independent East Timor is and remains a fine example of the successful establishment of a State in accordance with the wishes of its people and with the decisive support of the entire international community.

The President: I shall now make a statement in my capacity as the representative of Mauritius.

The important statement made this morning by the Prime Minister of the Commonwealth of Australia, The Honourable John Howard, shows the interest which East Timor's neighbour takes in its future. Let me, on behalf of my Government and on my personal behalf, congratulate Mr. Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation, and the people of East Timor for the considerable progress achieved on the path to independence. We wish to assure him of our full cooperation.

I join other delegations also in thanking Mr. Vieira de Mello, Special Representative of the Secretary-General, for the comprehensive briefing he gave this morning.

I would also like to express my profound appreciation to the Secretary-General for his valuable report.

My delegation echoes the appreciation and satisfaction expressed by other delegations for the positive developments in East Timor. We commend the Special Representative of the Secretary-General for his outstanding leadership. His exemplary efforts and excellent work deserve all our gratitude and praise. We also extend our gratitude to the entire staff of the United Nations Transitional Administration in East Timor (UNTAET) for preparing the newly born State for a peaceful and smooth transition to independence.

The United Nations justly deserves all the merit for conducting a successful operation in East Timor and to take credit for this historic success. The painful past is gone and the people of East Timor must derive immense satisfaction from the thought that their quest for self-determination was legitimate and unquestionable. We must now look to the future with hope and determination that East Timor will emerge as a full-fledged nation ready to assume its rightful place in the international community and to chart a way for the welfare, development and prosperity of all the people of East Timor. Mauritius has been closely associated with the liberation struggle of the East Timorese people and it is with a great sense of

satisfaction that we welcome the successful outcome of that struggle. As a small island State, we are happy that another island State of similar size will be joining the United Nations family.

My delegation is pleased to learn that the Assembly is in the process of reviewing the draft constitution, which will lead the island to a unitary democratic State based on the rule of law, the principle of separation of powers and all the institutions that foster an accountable and responsible Government. We are happy to note that the Timorization process in the economic and administrative sectors is also on the right track.

Like other members, Mauritius fully supports the recommendations of the Secretary-General on the renewal of UNTAET's mandate until 20 May 2002. In view of the success achieved so far, there is no scope or room for any mistake. It is the duty of the United Nations to ensure that everything is done to complete the process in time. Nothing should jeopardize this process. If we are to consolidate our gains and realize the legitimate aspirations of the East Timorese to attaining statehood, we must ensure that the transition is seamless, smooth and obstacle-free.

At this juncture, East Timor needs assistance at all levels in order to instil confidence in the people and to encourage them to forge ahead in shaping the destiny of their own country in accordance with their culture, tradition and political history. It is therefore essential that international assistance to East Timor revert to a normal development level as soon as feasible.

The United Nations, with the help of UNTAET, has given birth to a nation. The international community should now continue nurturing it and prepare the small island nation to operate as a viable State. This is the crucial phase in the political history of any country, especially a newborn one. We must therefore ensure the success of the new State by maintaining security and by building a sustainable administrative and economic base, as mentioned in paragraph 98 of the Secretary-General's report. It is extremely important that East Timor continue to benefit for some time to come, especially after its independence, from United Nations assistance in the form of civilian expertise in various fields of administration and other sectors.

We are happy to learn that the presidential election is scheduled for 14 April. We hope that the maturity shown in the election last August will continue to prevail and that democracy will be given another positive push forward in East Timor.

It is undeniable that peace and stability hinge on the level of security in any State. The risk of both political and criminally driven violence should at all costs be avoided. It is therefore important for competent and adequate police units and law enforcement officers to establish and maintain law and order. We note with satisfaction that training programmes for civilian police, as well as for the East Timor Defence Force, are being accelerated.

My delegation also appreciates the fact that the rate of refugee returns has increased and that nearly 7,000 refugees returned to East Timor over the past period, bringing the total returns to 192,000. We hope that those remaining in the camps of West Timor will soon join their fellow brothers and sisters in independent East Timor. We believe that the voluntary returnees need necessary assistance and support for rehabilitation and should be given the opportunity to serve their country in any appropriate capacity. We call on the international agencies and bilateral donors to continue supporting the rehabilitation programme in a sustained manner.

The significant and historical achievement in East Timor would not have been possible without the unflinching support of the Government of Indonesia. We highly commend the consistent and continuous dialogues between Indonesia and UNTAET/East Timor, paving the way to peaceful coexistence. We applaud the initiatives of the Indonesian Government to hold talks at the ministerial level with UNTAET/East Timor, aimed at providing an appropriate forum to reassess and build upon the progress achieved and to explore ways and means of resolving any outstanding matters.

We note the issue of the presidential decree of 12 January regarding the appointment of 18 judges to the Ad Hoc Human Rights Court and the recent talks held between Indonesian and East Timorese justice officials with a view to promoting legal and judicial cooperation between the two sides. We welcome the ongoing discussions at the level of the Joint Border Committee on the question of the Tactical Coordination Line. We hope that this issue will be addressed as soon as possible to the satisfaction of both parties.

My delegation welcomes the formal setting up of the East Timorese Commission for Reception, Truth and Reconciliation last Monday. Like the Truth and Reconciliation Commission in South Africa, this Commission will serve as an important forum for undoing the wrongs and paving the way for a clean Administration. We welcome the appointment of seven Timorese commissioners and we wish them all the best in their new responsibilities. We are grateful to the multilateral and bilateral donors for their pledges and we encourage them to continue supporting the Commission.

The moment has come for the Security Council to send an unequivocal signal to the people of East Timor and to the international community that a rightly sized, strong and continued presence of the United Nations will have to be maintained for a period of two years from the date of independence to ensure the stability of East Timor. In this regard, we endorse the plan for a successor mission providing for a continued and appropriately reduced United Nations peacekeeping mission in the post-independence era. The mandate outlined in the annex to the report is pragmatic and realistic.

There is no doubt that East Timor will emerge as a strong, viable and prosperous nation with the assistance of the international community, and that it will stand ready to shoulder its responsibilities on its own after the departure of the successor mission.

I now resume my functions as President of the Council.

I give the floor to Mr. José Ramos-Horta, Senior Minister for Foreign Affairs and Cooperation of East Timor.

Mr. Ramos-Horta: I am very grateful for the opportunity to share once again with the members of the Council our views on the situation in East Timor.

Before proceeding further, I would also like to note and express my sincere appreciation for the presence at the meeting this morning of the Prime Minister of Australia, John Howard. His presence here underlines Australia's commitment not only to the United Nations and international cooperation, but also, and in particular, to the people of East Timor. The Australian Government and people have been very generous and committed in a multidimensional way to the well-being of East Timor, providing for their needs with regard to security, economic well-being, reconstruction and so on. We are very touched that the Prime Minister of Australia took the time to be here this morning.

We would also like to express our sincere appreciation to Mr. Sergio Vieira de Mello and to the Minister of State for Foreign Affairs of Ireland, Ms. Liz O'Donnell, for their presence. We wish to ask the delegation of Ireland to convey to the Minister our sincere appreciation, and to ask the Australian delegation to convey to the Prime Minister our most sincere appreciation, for their presence.

In addition, we bring to the members of the Council the warmest greetings of Mr. Xanana Gusmão; Mr. Mari Alkatiri, Chief Minister; and the two Bishops of East Timor, Monsignors Carlos Belo and Basílio do Nascimento.

I would like to express to you, Mr. President, our special appreciation for your country's role over the years in support of our struggle for self-determination. We have a particular admiration for the way Mauritius has succeeded in building its economy and a multi-ethnic society into a prosperous country. Mauritius has managed to develop its economy from one based largely on agriculture to a healthy, middle-income, diversified economy with growing industrial, financial and tourism sectors. I hope that East Timor will be able to follow that example. Perhaps with Mauritius's help, we will succeed in doing so.

Since I last addressed the Council, much has happened in East Timor. I can only add that we can verify positive news in many sectors, notably in the security sector. As Sergio Vieira de Mello reported, there have been hardly any incidents along the border between East and West Timor; the last reported incident occurred in June last year. Credit for this is due partly to the Indonesian authorities, who have taken a firmer stand in disarming the militias and also in encouraging and supporting the return of the refugees to East Timor.

Because Sergio Vieira de Mello made such a comprehensive statement, I believe that most of the content of the speech I had prepared has already been covered. Therefore, I will share informally with the Council some of my personal observations on the situation in East Timor.

First, I would like to respond to a comment by the representative of the United Kingdom. We take it that what he suggested is that the development plan we are trying to put in place be made available to the donor countries in a timely manner, before the donors conference. We will do our best to see that each donor country has the document well in advance of the conference.

The process of designing a blueprint for the economic development of East Timor is quite a unique experiment in our country. It is probably one of the few exercises in national planning and development in which civil society, represented by the churches, non-governmental organizations and intellectuals, have the opportunity, together with the Government, to reflect on the priorities and needs of the country before such a development plan is approved and implemented. That is what we are trying to do in East Timor. The process is a partnership between the United Nations, the World Bank, the United Nations Development Programme, the East Timorese Government and a civil society commission, led by Mr. Xanana Gusmão himself.

As I mentioned earlier, the rate of reported crime in East Timor continues to be among the lowest in the world. In a recent conversation, the Police Commissioner of East Timor reported that throughout 2001 there were only four reported cases of murder, none of which was politically motivated. This is in a country where unemployment is very high and poverty is rampant — a country still recovering from the trauma of past violence.

However, one area that is not encouraging is that of domestic violence, in particular against women. East Timorese leaders are puzzled that our society was able to conduct itself with great civility during the election process in July and August, without a single violent incident, and that the crime rate is among the world's lowest, while the rate of domestic violence is surprisingly high. Perhaps this increase actually reflects the higher rate at which such crimes are now reported in the police and justice system, and that domestic violence had existed previously but had gone unreported. With a dynamic press in East Timor today, with institutions and with more trust in the police and justice system, women are coming forward to report cases of violence. We will work hard in the coming days, weeks and months to eradicate this shameful aspect of our reality in East Timor.

We are very pleased at some developments in the preparation of our police force. There are now 1,400 trained police officers deployed all over East Timor. Their presence throughout the election process in July and August, in particular on the day of the election, 30 August last year, was very illustrative of the successful preparation of the East Timor Police Service. However, this is also the case with the East Timor Defence Force. The East Timorese people are very proud of the fact that today we have a battalion that was competently and professionally trained by Portugal and Australia, with significant contributions from New Zealand, the Republic of Korea and the United States.

Recently, the naval component of our Defence Force took possession of two modified Albatross patrol boats donated by Portugal. We do not intend, obviously, to have a navy. The need for these boats is very clear. We are an island; we have a large economic zone; we have rampant illegal fishing in our waters; and we also have an obligation to contribute to the region in terms of preventing piracy, human smuggling, drug trafficking and so on. Thus we are making enormous efforts to try to set up a modest navy component to control our waters.

Although the downsizing of the peacekeeping force is a positive indicator of our progress — as has been mentioned, by May there will be no more than 5,000 members of the peacekeeping force in East Timor — we are still concerned, and here we have to be realistic, about the ability of some former militia elements to destabilize the country. We are thus very pleased with the proposal made by the Secretary-General in his report to continue the present peacekeeping force and civilian police in East Timor for some time to come.

There has been much progress also on the refugee-return front. There are still 40,000 to 70,000 refugees living in camps in West Timor. Mr. Vieira de Mello's assessment is an accurate one in terms of the reasons why there are still so many thousands of refugees in West Timor. There are still some rumours circulating about retaliation against refugees when they return, which is absolutely untrue. In the past two years, since 2000-2001, there have been four or five reported cases of returning refugees being assassinated out of the almost 200,000 who have now returned. We are doing our best to educate and inform our people in West Timor about the reality in the territory.

On the question of justice and reconciliation, it has been widely reported that last week members — National Commissioners — of the East Timorese Commission for Reception, Truth and Reconciliation were sworn in. This is an important task. They have an enormous responsibility to establish the truth about the human rights violations that occurred between 1974 and 1999. We emphasize that the Commission will look back as far as 1974, before Indonesian intervention in East Timor. Crimes did not occur only after Indonesian intervention in East Timor.

I have said repeatedly that the East Timorese side must have the courage and humility to acknowledge our own responsibility for the tragedy that befell our people. It would be far too easy to look only at the alleged crimes and the violence that took place after 1975. So from the very beginning we have argued that the work of the Truth and Reconciliation Commission should go back to 1974.

We are also optimistic and pleased with the work of the Serious Crimes Panel. Although it had major problems with funding and personnel, the Panel has done outstanding work in terms of indictments and charges. Some have argued — and if we believe my friend Sergio Vieira de Mello's propaganda — it has been more successful than better-funded war crimes tribunals elsewhere, in the Balkans and so on. Although it started with enormous difficulties, such as lack of funding and of resources, the work of the District Court that handles serious crimes has been very impressive in this regard.

The Constituent Assembly, as the Council is aware, has 12 politically active parties. We started off with 16 parties. In a country of 900,000, we managed to have 16 political parties. The United States, with almost 300 million, has two political parties. France has, I think, five or six political parties. But in East Timor we had 16. During my travels around the country, our people asked me why we had so many political parties in such a small country. We blame it on Sergio Vieira de Mello and on the United Nations, but we told our people that they themselves were the best judges, that on 30 August, they would go to vote; that some parties would survive and others would not; and that in the years to come, some would emerge and many more would disappear. The people handed down their verdict: on 30 August, only 12 parties survived.

The system devised by the United Nations in East Timor was, in retrospect, the best one, in that it favoured the smaller parties as well. Without that system of proportional representation, there would not have been 12 parties. We would not have such an inclusive, multiparty representation in the Parliament.

We were worried that, with so many political parties, the Constituent Assembly would be bogged down in endless debate. But so far the work of that Assembly has been, for the most part, going smoothly. We are taking the advice of our friends from around the world in improving the draft that has now been concluded. We are allowing one extra month, so that we can get more input from the people throughout the district. We are listening to the comments and criticisms of our friends, so that our very first Constitution in 500 years will be a model one — something of which we can really be proud.

On 14 April, we will be holding the presidential elections. In most countries, there is never a lack of candidates. In our country, we have to try to persuade people to run for President. So far we have only one known candidates, but we hope that there will be at least two or three more.

I should now like to refer to relations between East Timor and Indonesia. Sergio Vieira de Mello already spoke in detail about some aspects of the question. I should like simply to add that, in the history of decolonization, seldom has there been, in post-war relations between two countries that separate from each other, such a quick process of reconciliation and normalization of relations. In some cases it has taken generations to heal the rift between some newly independent colonies and the former colonial powers, and in some cases it has taken many years for even formal relations to be established.

In this regard, we can say, with a sentiment of enormous friendship towards Indonesia, that the Indonesian side has shown its maturity and its grandeur in also putting the past where it belongs and in forging a new relationship with East Timor. If we remember the past 25 years, then we will understand the remarkable success that the two sides have achieved. This, in large measure, is also a tribute to our brothers and sisters in Indonesia. We are also grateful to Australia and Indonesia for inviting East Timor to be part of the South-West Pacific forum, which is yet

another indication of the willingness on the part of Indonesia and Australia to embrace East Timor.

On the issue of justice and accountability for others in Indonesia responsible for the violence in East Timor, we are encouraged by the steps taken so far by the Government of President Megawati Soekarnoputri.

In the wider region, our neighbours of the Association of South-East Asian Nations (ASEAN) continue to offer very important support to East Timor's reconstruction and development, capacity-building and security. We have now initiated formal contacts with our ASEAN neighbours and the ASEAN secretariat, hoping that East Timor will be able to sign the ASEAN Treaty of Amity and Cooperation in South-East Asia on independence day or soon after that.

I would also like to mention that on the day after our independence, on 21 May, we will be hosting in Dili, for the first time, a meeting of the heads of State and Government of the Portuguese-speaking community. Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Sao Tome and Principe and Portugal have been with us for the past quarter of a century. On 21 May 2002, East Timor will formally join the Community of the Portuguese-Speaking Countries.

We are also working hard in the process of identifying international treaties to which East Timor should accede once it attains independence. The Foreign Ministry is working in close consultation with other Ministries, the United Nations Transitional Administration in East Timor and United Nations agencies to prioritize and prepare the necessary steps.

It is our intention, at independence or shortly thereafter, that East Timor will accede to the greatest possible number of international human rights treaties. In this regard, the Ministry of Foreign Affairs and Cooperation is closely watching the drafting of the Constitution to ensure that nothing in the Constitution violates any of the treaties to which East Timor is likely to become a party. As Sergio Vieira de Mello mentioned, we want East Timor to join the United Nations as soon as possible, either on the first day of independence or soon thereafter.

Planning for independence is under way. Celebrations will take on 20 May. The Secretary-General has invited all countries around the world to attend. We hope that all will attend, but if everyone actually attends, that could pose the worst logistic nightmare for East Timor, because we are not exactly Mauritius or Fiji or Namibia, with infrastructures. But, at the same time, we would like everybody to respond positively to the Secretary-General's invitation. We would not go so far as to say to bring sleeping bags and lunch boxes, but we will do our best to welcome everyone, in our poverty and modesty, but with the greatness of the hearts of the people of East Timor.

A great deal has been achieved in the very short time of two years, since UNTAET was put in place. Anyone who visited East Timor in 1999 or 2000 would be amazed at the progress we have made. Reconstruction has begun. Family houses are being rebuilt everywhere. New shops are opening all the time. Agricultural output has reached the level of 1999, and more children are now enrolled in schools than before 1999. In 2001 we enjoyed 18 per cent economic growth in real terms. The previous year we posted 15 per cent growth. However, economic growth will slow down considerably in the course of this year.

We are confident, nevertheless, that East Timor will have a viable, sustainable economy. Reference was already made to the potential revenues from oil and gas. Tourism will also thrive once we have created the necessary infrastructures. But in the short term, East Timor will need the Council's assistance, and we ask, on behalf of the second Transitional Government and the entire country, that this Council endorse the concept of a successor mission, which has been carefully thought out and planned by my UNTAET colleagues. In this way, the gains that have resulted from the Council's tremendous commitment to East Timor will be consolidated and maintained in the crucial years to come.

The President: It is now 1.35 p.m. I think it is an appropriate time to break for lunch. But I wish, before we suspend the meeting, to remind all remaining speakers that we have a very heavy workload in the Security Council today. We have to complete consideration of East Timor and also the special meeting that we started yesterday on Africa. We also have consultations on the Middle East. So I will urge all remaining speakers to be as brief as possible in order to enable us to complete our work for today. We will resume at 3 p.m.

The meeting was suspended at 1.35 p.m.